

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

BAE SYSTEMS INFORMATION AND  
ELECTRONICS SYSTEMS INTEGRATION  
INC.

Plaintiff,

v.

SPACEKEY COMPONENTS, INC.

Defendant.

Civil Action No. 10-CV-370-LM

**ASSENTED-TO MOTION TO SUSPEND PRETRIAL FILING DEADLINES**

NOW COMES Plaintiff BAE Systems Information and Electronics Integration Inc. (“BAE Systems”), by and through its attorneys, Devine Millimet & Branch, Professional Association, and respectfully submits the following Assented-to Motion to Suspend Pretrial Filing Deadlines and states as follows:

1. By its Order of September 6, 2012, the Court instructed the parties to confer and agree on a new expert disclosure schedule and trial date in light of SpaceKey’s expert disclosure planned for September 7, 2012.

2. SpaceKey disclosed its new expert on September 7, 2012, as promised. The new report is in excess of 30 pages and touches on a range of technical issues regarding the TID performance of the Legacy RH1280 and the RH1280B.

3. BAE Systems and its counsel need to confer about the substance of SpaceKey’s new disclosure and decide what is needed for an expert rebuttal. That conference will not be

able to occur until early next week. Following BAE Systems' internal conference, the parties will confer on setting a rebuttal expert deadline and new trial date.

4. Consequently, the parties expect to contact the Court with a proposed new trial date next week (the week of Sept. 17, 2012).

5. In light of the schedule of the above events and the Court's Order of September 6, 2012, BAE Systems respectfully requests that the Court suspend the pretrial filing deadlines scheduled for this month, including the deadline to file pretrial statements today, September 10, 2012. The parties will request that the Court schedule new pretrial filing deadlines when the new trial date is selected.

6. Counsel for the defendant assents to the relief sought by this motion. L.R. 7.1(c).

7. This motion seeks relief that is within the sole discretion of the Court.

Accordingly, no supporting memorandum of law is filed with this motion. L.R. 7.1(a)(2).

WHEREFORE, the plaintiff respectfully requests that this Honorable Court:

- A. Suspend all pretrial filing deadlines scheduled for September 2012, including the pretrial statements scheduled to be filed today, September 10, 2012; and
- B. Grant such other and further relief this Court deems just and equitable.

Respectfully submitted,

**BAE SYSTEMS INFORMATION AND  
ELECTRONICS SYSTEMS  
INTEGRATION INC.**

By its attorneys,

**DEVINE, MILLIMET & BRANCH, P.A.**

Dated: September 10, 2012

/s/ Jonathan M. Shirley

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### **CERTIFICATE OF SERVICE**

I, Jonathan M. Shirley, hereby certify that a copy of the foregoing Assented-to Motion to Suspend Pretrial Filing Deadlines was this day served via the Court's Electronic Filing System on counsel for the defendant.

/s/ Jonathan M. Shirley

Jonathan M. Shirley